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9 Counsel for Defendant SALCEDO MENDOZA

10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13
14 UNITED STATES OF AMERICA,) No. CR 08-0399 PJH
15 Plaintiff,) DEFENDANT'S PROPOSED VOIR DIRE
16 v.) Pretrial Conference: August 27, 2008
17 JAIME SALCEDO MENDOZA,)
18 Defendant.)
19

20 Defendant Jaime Salcedo Mendoza respectfully requests that the following questions be
21 posed by the Court to the venire, either in a questionnaire or in open court:

22 1. What clubs or organizations do you belong to? Do you belong to any
23 organizations concerned with criminal law or the criminal justice system?

24 2. Have you ever applied for a job in the military or security field? Have any of your
25 close friends or relatives ever applied for a job in the military or security field?

26 3. There may be one or more law enforcement officers who will testify in this case.
Will the fact that a person is a law enforcement officer make him or her more trustworthy in your
evaluation than any other witness? Would you tend to give any greater weight or credibility, no
matter how slight, to the testimony of a law enforcement officer or government witness because

1 they are employees of or are testifying on behalf of the government?

2 4. The defendant, Mr. Salcedo Mendoza, is of Mexican descent. Have you had any
3 experiences that may make it difficult for you to be impartial and fair to him?

4 5. Have you traveled to Mexico? What is your impression of Mexico?

5 6. Do you speak Spanish?

6 7. Mr. Salcedo Mendoza is charged with being an alien who illegally reentered the
7 United States after deportation. If you were called upon to return a verdict right now, would you
8 return a verdict of guilty?

9 8. Do you believe that the United States' immigration laws should be tougher? Do
10 you believe you can put that opinion aside and judge the defendant solely on the basis of the
11 evidence presented at trial?

12 9. Do you, or do any members of your family or close friends, employ
13 undocumented aliens? What is your opinion of others who employ undocumented aliens?

14 10. Do you think that Mr. Salcedo Mendoza must have done something wrong or he
15 would not be here today?

16 11. Mr. Salcedo Mendoza is presumed to be innocent unless and until he is proven
17 guilty beyond a reasonable doubt. Do you have any trouble giving him the benefit of this
18 presumption of innocence without any mental reservations whatsoever?

19 12. Mr. Salcedo Mendoza has already pleaded not guilty to the charge against him.
20 What are your thoughts about whether or not a defendant should testify?

21 13. If after hearing all the evidence in this case, you thought that Mr. Salcedo
22 Mendoza was probably guilty, but you were not convinced beyond a reasonable doubt, would
23 you have trouble returning a verdict of not guilty?

24 14. Might you be concerned about later criticism should you return a verdict of not
25 guilty?

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1 Dated: August 13, 2008

2 Respectfully submitted,

3 BARRY J. PORTMAN
Federal Public Defender

4 /S/

5 RONALD TYLER
6 Assistant Federal Public Defender

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